introduce a Bill to amend the Prevention of Insults to National Honour Act, 1971.

The question was put and the motion was adopted.

SHRI SURESH PACHOURI: Sir, I introduce the Bill:

THE PROMOTION AND PROTECTION OF SECULARISM BILL, 1998

SHRI SURESH PACHOURI (Madhya Pradesh): Sir, I beg to move for leave to introduce a Bill to provide for the promotion of secularism in the country by giving freedom to profess and practise any religion, prohibiting' the State' from interfering in religious matters, prohibiting official religious functions and for protecting secu larism by banning the communal political parties and organisations and providing deterrent punishment for demolition and desecration of religious places in the country and for matters connected therewith.

The question was put and the motion was adopted

SHRI SURESH PACHOURI: Sir, I introduce the Bill.

THE CYCLONE PRONE COASTAL AREAS (SPECIAL FINANCIAL PACKAGE FOR DEVELOPMENT AND MISCELLANEOUS PROVISIONS) BILL, 1998

SHRI SOLIPETA RAMACHANDRA REDDY (Andhra Pradesh): Sir, I beg to move for leave to introduce a Bill to provide for the special financial package of the Central Government for the overall development of the co al areas which are cyclone prone and frequently devastated by such cyclones and for the adequate and timely financial relief to the people of such areas for the damage caused to crops, property, loss of human lives and that of livestock due to cyclones and for matters connected therewith.

The question was put and the motion was adopted

SHRI SOLIPETA RAMACHANDRA REDDY: Sir, I introduce the Bill.

THE PUBLIC LIBRARIES BILL, 1998

SHRI KARTAR SINGH DUGGAL (Nominated): Mr: Vice-Chairman, Sir, I beg to move:

"That the Bill to provide for the organisation and development of public libraries in the Union territories and for matters connected therewith and incidental thereto, be taken into consideration.

Sir, with its barrage of advertising, unbridled consumerism, popular audio-visual shows of minimal cultural content, laced with lurid sex and violence, the electronic media is eroding the moral values menacingly in our society today. Let me state an extreme case, narrated to me by an old friend in choked voice. They had a lad of 6—8 years, son of their

old cook visiting his father from the village. Fond of watching TV, the lad was always found glued to the TV set along with other children. As an enlightened family, they never objected, more so, because he was going to be there only for a few months. Once, when most of the elders of the family were away, the grandfather happened to go the children's room and found the lad huddled with their three years' old grand daughter in her bed, exactly the way the Bollywood heroes and heroins are seen in season and out of season.

Indeed, something must be done to ward off the onslaught of the electronic media while there is no shutting out the wavelengths with images and utterances, welcome or unwelcome, it is high time that the viewers are insulated against vicious perceptions with positive penchants before the society loses its way morally. One way to combat the menace is with book culture; fostering book-mindedncss. Book is the most reliable companion. Rather than allowing the TV to sweep off the book as it is maintained, let the book assert itself and soften the fell assault.

But where is the book? With the spiralling of prices all around, the book todav

is out of reach of the common reader of average means.

The solution is chains of libraries, well-equipped, up-to-date, in every block, every big or small town, and every village panchayat in the countryside. This is how the development countries endeavour to contain the damage.

When independence came, Prime Minister Nehru wished 10,000 new libraries to be established in the country. A modest target! What he had in mind was that every major language mentioned in the Eighth Schedule of the Constitution would have more than 500 libraries to take care of the publishing activity in the regional languages. A publisher who can look forward to the sale of 500—600 copies of a book is always willing to undertake publication of a new title. This is how Nehru wished to promote book culture. Unfortunately, other priorities overtook his dream. Today, the position in the Indian languages, barring a few exceptions, is that publishing of general interest books is minimal; the publishers expect the authors to finance their works. A highly dismal prospect for the new talent!

It is a truism that libraries sustain publishing even in the developed countries. Before he died, in one of the interviews Grahm Greene revealed that normally the first edition of his novels never exceeded 2,000 copies of which 1,200 copies were purchased by the libraries, 500 copies were exported to Australia and other erstwhile-British colonies, which left 300 copies for counter sale in the country. This is true of the leading British writers even today.

There is holistic relationship between public education and public library services. Public libraries support the removal of illiteracy and prevent the drop-outs from schools from lapsing into illiteracy. The incidence of school drop-outs in India is said to be 70 per cent during the first eight years of schooling.

In a survey conducted in 1965 it was revealed that India spent three paise *per capita* on public library services. For every 100 persons there was only one book to read. It is against 100 books in the USA and 145 in the U.K. Against every 100 citizens only one person was registered as borrower in India and every block of 1,000 persons were borrowing only one book *per annum.*

According to another survey conducted in 1988, the expenditure on public libraries increased from 3 paise to 70 paise. But, considering the rate of inflation since 1965, it continues to be meagre, to say the least.

According to the 1991 Census, India had a total population of 85 millions of which about 43 per cent were covered by a library legislation in ten States and 57 per cent were yet to be covered.

UNESCO has defined public library as an institution established and maintained by a local Government, whether a municipality in an orban area or a country in a rural area and that it is open to all free of charge.

India is no stranger to libraries. It has a long intellectual tradition which goes back to 5,000 years. The Takshila University, which was established in the fourth century, acquired an international reputation as a centre of advanced studies. The University had an excellent library of manuscripts. Similarly, the University of Nalanda, which was founded in 350 A.D., had a good functional library. In the medieval period, the Mughal Kings who were lovers of books, established their personal libraries. Humayun died when his foot slipped while he was coming from the stairs of his library. In the South, the Tanjore library was a great attraction for the scholars and researchers and it continues to be so..

During 185 years of the British rule in India, from 1762 to 1947, there was not even one modern public library in the country. When the Capital, New Delhi, was designed in 1911 and completed in

1930, nobody even conceived of providing a site for a public library.

After the Independence, the Madras Presidency was the first to pass a library | legislation in 1948. They chose to establish a Local Library Authority rather than entrusting the service to local bodies in urban and rural areas. The reason was, the local bodies were lacking in administrative and financial resources.

Almost all the other States with library services have followed Tamil Nadu, i.e., Andhra Pradesh and Karnataka in 1965 Maharashtra in 1967, West Bengal in 1979, Manipur in 1988, Kerala and Haryana in 1989 and Goa and Mizoram in 1993.

The Delhi Library Board was constituted in 1950 to administer the Delhi Public Library, as a UNESCO pilot pro-, Jeet.

A welcome opportunity came our way in 1972 when during the Raja Ram Mohan Roy Centenary celebrations, it was decided to set up a Raja Ram Mohan Roy Library Foundation with a view to giving a fillip to library movement in the country. An autonomous outfit under the then Ministry of Education and Social Welfare had proved to be a damp squib. Its main objective was to promote and support the library movement, help start new libraries and supply books to libraries particularly in small towns and rural areas. The Foundation was to spend 80 per cent of its funds on books in Indian languages and 20 per cent of its funds on books in English. As one of the founders of the Foundation, I remember what we had in mind was that while Sahitya Akademi takes charge of creative writing, the National Book Trust fosters book-mindedness, the Raja Ram Mohan Roy Library Foundation would provide books to the readers, set up libraries and find resources to equip them with reading materials.

As it is, the States which maintain library departments raise funds through library cess and other sources. However, it is found that a major slice of these funds goes to the maintenance of the building and the staff, and very little is left for books. Here is the finding of survey conducted by the National Council of Applied Economic Research in respect of Tamil Nadu some time ago: "The total funds available for the Library Department are Rs. 90 lakhs, of which Rs. 31 lakhs are from library cess, Rs. 20 lakhs from the State Government grant, Rs. 27 lakhs from Plan grant and Rs. 13 lakhs from other sources. Out of this amount, in one year, Rs. 87 lakhs were spent, but the amount spent on the reading materials was only Rs. 7.7 lakhs, that is, less than 10 per cent of the total expenditure, the rest was on wages and other ex-peneses."

What is wrong with library services in India is that unduly large percentage of funds are earmarked for staff and maintenance, and what little is left, more ofter than not, is employed to satisfy the vested interests who interfere with the selection of books for purchase by the libraries. It is true that 80 per cent of the books produced in India are bought by the libraries. It is also true that the bulk of this 80 per cent is trash. It is due to malpractices at the level of the libraries. Corrupt librarians dare not resist undue pressures. Another factor that is responsible from mischief in the library services is the tender system. Our outdated audit rules must have tenders for purchase of even library books. This encourages unhealthy competition among the book-sellers and leads to all sorts of undesirable practices.

It is time that the States which do not have a Library Act on their statute book do so quickly. We must have networks of libraries, starting with panchayats up to the capital town. Equally important is to have a central committee of scholars, educationists and creative writers to make selection of books for libraries. This committee should be high-powered enough to be able to resist pressures. As far as possible, the books should be purchased

centrally and distributed to the libraries. J According to UNESCO, every State must spend 2.1 per cent of funds for secondary education on library services. Recent amendments in the Constitution are going to reflect upon the administration of library services in the country. The 73rd amendment pertains to panchayats and the 74th amendment pertains to municipalities. Under the 73rd amendment, libraries have been assigned to panchayats.

Our times have thrown up an inescap able challenge in the vagaris of the electronic media. it needs to be met. The education, cultural and inspirational programmes have been pushed out of the prime slots. One has to look around and locate them if they are there at all. The book is the only hope. We, who swear by the Book, clasping the Book, have plunged into many a battle and come out victorious. Let the book safeguard us against the new onslaught. Out *nirvana* is in well-equipped, up-to-date chain of libraries. Poverty of mind is a greater curse than material poverty.

The question was proposed.

3.00 P.M.

श्री संघप्रिय गौतम(उत्तर प्रदेश) उपसभाध्यक्ष महोदय,केन्द्र शासित राज्यों में पुस्तकालयों की स्थापना,विकास और संचालन संबंधी इस विधेयक का मैं समथ्रन करता हूं । हमारे विद्वान प्रस्तुतकर्त्ता सदस्य ने प्राचीन काल से पुस्तकालयों का क्या महत्व हमारे देश में और विदेशों में रहा हैं,इस पर काफी गंभीर अध्ययन करने के पश्चात इस पर प्रकाश डाला है । अधिक समय न लेते हुए मैं दो-तीन मिनट में अपनी बात करना चाहूंगा।

उपसभाध्यक्ष महोदय,हमने देखा कि जितने भी शैक्षिक संस्थान हमारे देश में हैं,प्रायः छोटे-मोटे पुस्तकालय वे संचालित करते हैं । यही नहीं जितने भी निर्वाचित निकाय शहरों में हैं,चाहे वे नगरपालिकाएं हों,महानगर पालिकांए हों या जिला परिषद,वे भी छोटे-मोटे पुस्तकालयों का संचालन करते रहे हैं । इसके अलावा नगरों में शैक्षिक,निजी शैक्षिक संस्थानों से निकले शिक्षाविदों द्वारा निर्वाचित संस्थान या बहुत से सांस्कृतिक संस्थान भी इस प्रकार के पुस्तकालय बनाते और चलाते हैं । पुस्तकालयों का महत्व,शिक्षा के प्रति लोगों में रूचि पैदा हो और इसके अलावा ज्ञान,हर विषय से संबंधित,और सामान्य ज्ञान बढ़े,इस दिशा में बड़ी अहम भूमिका पुस्तकालयों की रही है । यद्यपि शिक्षा का काफी प्रसार हुआ है लेकिन चूंकि तकनीकी और विज्ञान का काफी विकास हुआ है,इस कारण से इन पुस्तकालयों की आवश्यकता और ज्यादा हो गई है । इलेक्ट्रोनिक मीडिया का जिक किया गया ,लेकिन अभी इलेक्ट्रोनिक मीडिया सारे देश में और खासतौर से दूर-दराज के तथा पिछड़े क्षेत्रों में उपलब्ध नहीं हैं । दुनिया बड़ी तेजी से आगे बढ़ रही है,भूमंडलीकरण हो रहा है,देश एक दूसरे के नजदीक आ रहे हैं । अधिक से अधिक लोगों को ज्ञान प्राप्त हो,सामाजिक संरक्षण बढ़े । सामाजिक बराबरी आए,इसके लिए आधुनिक ज्ञान जितना ज्यादा और जल्दी प्राप्त हो सके,उसकी आवश्यकता है । तो जहां इलेक्ट्रोनिक मीडिया नहीं है,वहां पर इन पुस्तकालयों की बहुत बड़ी भूमिका है । लेकिन मुझे एक बात बहुत दुख के साथ कहनी पड़ती है कि पुस्तकालयों में पुस्तकें हर विषय से संबंधित होती तो हैं लेकिन उनमें महापुरूष लेखकों,कवियों,कलाकारों और धर्म तथा चरित्र निर्माण से संबंधित सामग्री बहुत कम मिलती है । हमारी इस संसद का पुस्तकालय बहुत बड़ा है । अभी मुझे एक गोष्ठी में जाना था,मैंने बड़ा प्रयास किया कि ऋषि बाल्मिकी के ऊपर मुझे कोई साहित्य उपलब्ध हों,ऋषि बाल्मिकी द्वारा निर्मित रामायण काव्य को अनेकों भाषाओं में अनुवादित किया गया है और यह सारे विश्व में उपलब्ध हैं ,लेकिन ऋषि बाल्मिकी के ऊपर कोई भी साहित्य किसी भी पुस्तकालय में उपलब्ध नहीं है । हमारे इस पुस्तकालय में भी भारत सरकार के एक अवकाश प्राप्त अधिकारी द्वारा लिखी गई एक छोटी सी पुस्तिका प्रस्तुत की गई । इसी प्रकार कबीर के ऊपर साहित्य बहुत कम उपलब्ध हैं,रविदास के ऊपर साहित्य बहुत कम उपलब्ध हैं । आज जब चरित्र का ह्रास हो रहा है तो ऐसे में चरित्र निर्माण संबंधी साहित्य का उपलब्ध होना अति आवश्यक है । इसलिए ऐसे पुस्तकालयों में इस प्रकार के साहित्य की उपलब्धता कराई जानी चाहिए ।

दूसरी बात मैं यह कहना चाहूंगा कि हमारी संसद और राज्य सभा का जो गृह है,इसके बाहर बाहर भी श्लोक लिखे हुए हैं धर्म संबंधी और जब हम स्कूलों में पढने जाते थे तो वहां भी यह लिखा जाता था-सत्यं वद धर्म चर,आज इसका अभाव है । पुस्तकालायों में ये शब्द तो लिखे रहेंगे-शांत रहिए,धूम्रपान मत करिए,लेकिन धर्म और आचरण के बारे में कुछ नहीं लिखा रहता । तो मेरा कहना है कि वहां यह भी लिखा रहना

चाहिए कि धर्म के अनुसार,आचरण कीजिए,सच बोलिए,बड़ों का सम्मान कीजिए,महिलाओं की रक्षा कीजिए,बच्चों को प्यार कीजिए । जिन बातों की रोजना चर्चा हम इस सदन में करते हैं,आज उन स्लोगन्स की,उन नारों की,उन बातों को लिखने की ऐसी जगहों पर आवश्यक हैं।

तीसरी बात मुझे यह कहनी है और इसका ज़िक्र प्रस्तुतकर्त्ता ने भी अपने इस विधेयक में किया है कि पुस्तकें बड़ें महंगी हो गई है और साधारण व्यक्ति इन पुस्तकों को नहीं खरीद सकता । इसलिए जो कोर्स बच्चों को पढ़ाए जाते हैं उनकी पुस्तकें,खास तौर से गरीब बच्चे जिनको नहीं खरीद सकते,इस तरह की कोर्स की पुस्तकें भी इन पुस्तकालयों में उपलब्ध कराई जानी चाहिए ।

इन्हीं शब्दों के साथ मैं इस विधेयक का समर्थन करता हूं । धन्यवाद ।

PROF. (SHRIMATI) BHARATI RAY (West Bengal): Sir, it is often said that man docs not live by bread alone. It is known; and we all agree that apart from food, clothing and housing, in the modern world, it is necessary to feed the intellectual hunger of our citizens, and provide them with some essential relevant knowledge and information about their profession, health, happiness and the outside world.

Sir, the modern concept of library started with the Renaissance in Europe, and we have to acknowledge our debt to that great movement. At that time, it was realised that one has not only to appreciate and admire classical learning, classical specimens of art and architecture, but one has to try to preserve them. From that the concept of modern library emerged. I will not repeat what Kartar Singh Duggalji has mentioned in his brilliant speech about the history and development of libraries. I will concentrate only on a few problems that we face today. I will not also repeat the problems which have been mentioned by him.

Sir, in my humble view, there are four very important and crucial problems facing the book culture; I am using the term 'book culture' or, the library culture, today. The first and the foremost is; there are no funds for books. We cannot buy books. The National Library or the very well-known big libraries also don't have enough money. The smaller libraries and university and college libraries have hardly any money to do the necessary purchase of books. I don't know who will buy the creative books written by men like Graham Green as mentioned by Duggalji and all our litterateurs. They find it very difficult to publish their books because there are not enough libraries and enough money to buy them.

The second problem which I want to emphasise is more important than the first one. Whatever we have we don't maintain. The books in the libraries are so badly maintained that, today, I cannot find the books I worked with two years ago. They are maintained badly, and there is no proper accesssion. So, being a woman, Sir, I always feel that what you have, you maintain that. The second problem of maintenance is very crucial.

The third point I want to raise is about the lack of modernisation of libraries. There are not enough xeroxing facilities available there. Facilities like internet, website computerisation, etc., have not been introduced, as it should have been done in the Union Territories libraries, not to mention the State libraries.

The fourth point that I want to mention is also a very important point. T don't know much about the training given to the librarians, but to me, librarians are also teachers. They should have some idea about the books that are kept in the libraries. If we go to the libraries, they should be able to give us some sort of guidance as to what sort of books we should read, and whether those books are available in that library. If they are not available there, then, where they are available, or, whom we should approach. We expect such type of information from the librarians. Of course, there are a few exceptions, but there are not many

librarians who can give us that sort of guidance.

Sir, I support the Bill. The Bill has mentioned two very important points. One is regarding the creation of a central library fund. That is very important and that will, to some extent, solve our problem of funding. The second point mentioned in this Bill which I find of great interest is, the creation of a directorate of public libraries. There is a absolutely a necessity for co-ordination, for direction, by a really academic person who is also conversant with the library rules and regulations and library culture. The third point is; Kartar Singh Duggal mentioned about the competition from the TV which has made the book culture irrelevant. But, why should we not use the TV to promote our needs? I mean to say, in TV and radio, there can be programmes on books to familiarise more children with books. The programmes on books can be made interesting so that little children become interested in books. The fourth and the last point is; I agree with what this Bill mentions that a library should be established in every village. There should be promotion of the book culture. Books are to be maintained properly, accession done and xerox copies of relevant pages, if necessary, be made available to interested students. Thank you.

SHRI C.P. THIRUNAVUKKARASU (Pondicharry): Mr. Vice-Chairman, Sir, the Public Libraries Bill, 1998 extends to the Union Territories alone. Pondicherry being a UT and Chandigarh being a UT, can be benefitted. But, as it is, it has to be extended to the Union of India and not to the UTs alone. The Bill is very good and if it is followed by the Government of India, there will be a lot of help to the people of India.

Once, Lakshmanaswamy Mudaliar, one of our best educationists in Tamil Nadu, and a big doctor, went to London. He went to London with a big turban on his head with suit and other things. He went to a library and he saw people. As he entered a room, he saw about 500 small children looking into figures and studying books. By the time a small child came up to him and looked at him. He asked the child if it wanted to know what it was on his head. The child said, "I know what a cap is, I know what a hat is. "He asked," "Do you want to know what is this?" Immediately the child said, "You need not tell me. I can ascertain the same from the books." The child searched the book, came to him and said: "I know, you are wearing a turban." Ultimately, he thought it is better not to teach; let them learn from the books. It was a lesson derived by Lakshmanaswamy Mudaliar on that day. What we can learn out of a particular thing is also learnt from, books; it is more easy than getting advised by teachers. Now-a-days, it is difficult to get education from teachers.

As far as Pondicherry is concerned, since the time of the French, there is a library called Romain Rolland Library. Even now it is there. Romain Rolland was the architect of libraries in France. When he came to Pondicherry, he set up this library. Unfortunately, now, the library is with the Education Department. There is no separate place for it. If the Bill is extended to only the Union Territories, people residing in Pondicherry and other UTs would get a lot of benefit.

I would likek to say that now, education up to fourteen years of age has been made compulsory. Since it has become compulsory, they may study. But, they do not have the money, or, the capacity, to study further. Now, all universities have distance education or open courses. For the distance education or open courses,. If libraries are created with all sorts of books, it is very easy for the students, especially for girl children living in villages, to study further. I welcome this Bill. The libraries should be established in all places; even in villages as was dones in 1943 by the Tamil Nadu Government in Tamil Nadu and extended to Andhra Pradesh and other places also. I welcome this Bill, as it is.

मानव संसाधन विकास मंत्री (डा.मुरली मनोहर जोशी): उपसभाध्यक्ष महोदय,श्री करतार सिंह दुग्मल जी ने जो विधेयक प्रस्तुत किया है उसका उद्देश्य निसन्देह प्रशंसनीय है । वह इस देश में पुस्तक संस्कृति का विकास करना चाहते हैं और इलेक्ट्रोनिक मीडियाके जो घ्यातक दुष्प्रभाव हैं,उनसे देश को बचाना चाहते हैं । देश में लोग दूर-दूर तक पुस्तक पढ़ें,पुस्तकालयों की स्थापना हो,इसके लिए उन्होंने बहुत विस्तार से अपने आंकड़े भी दिए हैं जिनसे शायद ही कोई असहमत होगा । उन्होंने बताया है कि इस देश में पुस्तकालयों की संस्कृति बहुत पुरानी हैं । यह बात सच हैं-तक्षशिला,नांलंदा,विकुमशिला तथा अन्य स्थानों पर भारत में बहुत विशाल-विशाल पुस्तकालय थे । यह दुर्भाग्य था कि उन पुस्तकालयों को आक्रान्ताओं ने नष्ट कर दिया,जला दिया । अगर वे पुस्तकालया चलते रहते,उसमें प्राप्त ग्रंथ और ज्ञान का भंडार हमें उपलबब्ध होता तो आज देश का बहुत कल्याण हो रहा होता,हमें बहुत सी जानकारियां मिल रही होंती । इसलिए ज्ञान की उपासना,लोगों में पढ़ने की प्रवृत्ति और अध्ययन की संस्कृति यह इस देश में बहत पुरानी हैं । हमारे यहां जब छात्र अपनी शिक्षा पूरी करके जाता था तो उसको यह उपदेश दिया जाता था-"स्वाध्यायान मां प्रमद" अर्थात स्वाध्याय में आलस्य मत करो,निरन्तर पढ़ते रहो,हमेशा अध्ययन करते रहों । इसलिए अध्ययन की यह परम्परा इस देश में बहुत पुरानी है । मुझे इस बात की प्रसन्नता है कि हमारे माननीय सदस्य ने उस परम्परा को जागृत रखने के लिए संसद का और सरकार का ध्यान आकृष्ट किया है ।

उन्होंने जो विधेयक प्रस्तुत किया है उसमें उन्होंने केन्द्रीय सरकार से एक सार्वजनिक पुस्तकालय के विभाग की स्थापना की मांग की है और यह कहा है कि संस्कृति विभाग का सचिव इसका पदेन सचिव होगा । इसी तरह से जो पुस्तकालय का मंत्री होगा वह इसका एक तरह से,एक संस्थान बनकर,अथॉरिटी बनकर काम करेगा जो शायद मंत्री होगा या शिक्षा मंत्रालय का मंत्री होगा । फिर उन्होंने यह भी कहा है कि यह जो सेन्ट्रल लाइब्रेरी की एक काउन्सिल बनेगी वह राज्य सरकारों को और केन्द्रीय सरकार को इस बारे में बार-बार बताएगी कि क्या प्लान बनाया जाए और किस तरह से पुस्तकालयों का विस्तार किया जाए ? उन्होंने उसकी रचना भी बताई हैं । उसमें कितने सदस्य हों,वाइचासंलर हों और फायनेंस सेक्रेटरी हों वगैराह-वगैराह । काफी विस्तार से उन्होंने इस बारे में बताया हैं । फिर उन्होंने एक सार्वजनिक पुस्तकालय के निदेशालय की स्थापना की बात बताई है और सुझाव दिया है कि इसमें कोई न कोई योग्यता प्राप्त विशेषज्ञ हो जो पुस्तकालय विज्ञान में अच्छी तरह से निपुण हो और वह उसका अध्यक्ष बनेगा । इसी तरह से उन्होंने यह भी बताया है कि इसमें जितनी नियुक्तियां है वह सब केवल अधिकारियों से नहीं बल्कि एक ऐसे प्रोफेशनल के द्वारा हों जो लाइब्रेरी सर्विस से संबंधित हो,लाइब्रेरी सर्विस के माध्यम से उसकी नियुक्ति होनी चाहिए । एक लाइब्रेरी सर्विस की बात भी उन्होंने कही है । एक लाइब्रेरी फण्ड की बात भी उन्होंने कही हैं । फिर उन्होंने यह कहा है कि हर एक जो संघ क्षेत्र है,यूनियन टेरीटरी हैं,उसमेंएक केन्द्रीय पुस्तकालय होना चाहिए और फिर हर एक गांव में सार्वजनिक पुस्तकालय की स्थापना की बात कहीं हैं । हर एक नगर में पुस्तकालय का जाल बिछाया जाए । एक लाख से अधिक की जनसंख्या वाले क्षेत्र में एक सिटी लाइब्रेरी की स्थापना की बात भी उन्होंने कहीं है । यह जो विधेयक उन्होंने प्रस्तुत किया है वह केवल संघ राज्य क्षेत्रों के लिए हैं,यूनियन टेरीटरी के लिए हैं । लाइब्रेरी जो हैं वह हमारे संविधान के सातवें परिशिष्ट में द्वितीय सूची में अर्थात राज्यों की सूची के बारहवें क्रम पर पंजीकृत हैं और संविधन के 239 अनुच्छेद के अनुसार और भारत के संघ राज्य अधिनियम 1963 की धारा 18 के अनुसार दिल्ली और पांडिचेरी की जो लजिसलेचर्स हैं,जो उनकी विधान संभाए हैं वे इस बारे में अधिनियम बना सकती हैं । अर्थात् पुस्तकालयों के बारे में इन दिनों यूनियन टेरेटरीज को अधिकार है कि वह अपना नियम बनाए । अभी जैसा इन्होंने भी बतायाकि सारा अधिकार धीरे-धीरे पंचायती राज्य संस्थाओं को दिया जा रहा है । यह संविधान की नई व्यवस्था है जो बड़ी स्वागत योग्य हैं । अगर इस बिल को हम केन्द्रीय सरकार द्वारा पास करेंगे तो यह सैन्ट्रलाइजेशन हो जायेगा,केन्द्रीकयकरण हो जायेगा। संविधान में जो प्रक्रिया बनाई जा रही है उसमें पुस्तकालयों का प्रबन्ध स्थानीय संस्थाएं करें,इस पर बल हैं,पंचायती राज्य संस्थाएं करें,इस पर बल दिया जा रहा है । इस बिल के द्वारा हम एक केन्द्रीयकृत व्यवस्था करना चाहते हैं और वह केन्द्रीकृत व्यवस्था भी केवल संघ राज्यों में करना चाहते हैं,यूनियन टेरेटरीज में करना चाहते हैं । इसमें एक बार यह है कि अभी कोई सैन्ट्रल सर्विस नहीं है । अगर लाइब्रेरियों की एक सैन्ट्रल सर्विस बनाई जाए तो यह एक नई चीज बनेगी । हम इसको कैसे बनाएं ? क्योंकि लाइब्रेरियों के बारे में विधान बनाने का अधिकार राज्य सरकारों को हैं । इस बिल में सुझाव तो बहुत अच्छे हैं लेकिन उनमें संवैधानिक कठिनाइयां हैं ।

जहां तक केन्द्रीय सरकार का सवाल है ,पुस्तकालयों के लिए हम काफी का काम कर रहे हैं और उन्हें बढ़ाना चाहते हैं । मैं माननीय सदस्य को आश्वासन देना चाहता

हूं कि संघ राज्य क्षेत्रों में काफी मात्रा में सरकार काम कर रही है और आगे भी करती रहेगी । हम पुस्तकालयों की संस्कृति को बढ़ाना चाहते हैं । पुस्तकालयों के लिए हम सहायता देना चाहते हैं ।राजा राममोहन राय पुस्तकालय संस्थान के बजट में भी वृद्वि करते जा रहे हैं। हम चाहते हैं कि लोग पुस्तकें खरीदें,छपें और लोग पढ़ें । यह आवश्यक होगा कि देश में संस्कृति का विकास किया जाए लेकिन किसी विधेयक को इस रूप में पारित करना चाहिए कि वह व्यावहारिक हो सके और उसके उद्देश्यों को भी हम पूरा कर सकें ।

अण्डमान और निकोबार द्वीप समूह में स्वाधीनता से पहले कोई लाइब्रेरी नहीं थी लेकिन स्वाधीनता के पश्चात् 1957 में पोर्ट ब्लेयर में एक सूचना केन्द्र खोला गया । वह राज्य पुस्तकालय के तौर पर काम कर रहा हैं । कार-निकोबार में एक जिला पुस्तकालय है और 13 जोनल लाइब्रेरीज हैं,जो वहां सब जगह फैली हुई है । मैं यह बताना चाहता हूं कि हम इन संघ राज्यों की तरफ काफी ध्यान दे रहे हैं । इसके लिए हमारे पास जितने साधन उपलब्ध हैं उनके अनुसार हम विस्तार भी कर रहे हैं ।

चण्डीगढ़ में 1955 मेंपहली पंचवर्षीय योजना में सार्वजनिक पुस्तकालयों की योजना शुरू की गई थीं । आज कल वहां श्री त्रिलोक सिंह सैन्ट्रल लाइब्रेरी काम कर रही है । चण्डीगढ़ में इसकी सात शाखाएं हैं । पब्लिक लाइब्रेरी का नेटवर्क संध राज्य के शिक्षा विभाग द्वारा इनका प्रशासन होता है । इसमें करीब 110 लोग काम करे हैं । एक करोड़ के लगभग इसका बजट हैं । चण्डीगढ़ जो एक संघ राज्य क्षेत्र हैं,इसकी तरफ हम काफी ध्यान दे रहे हैं । हमें जैसे-जैसे साधन उपलब्ध होंगे तो हम इसको और आगे बढ़ोंयेंगे । दादरा और नागर हवेली में भी एके केन्द्रीय लाइब्रेरी सलवासा में है । वहां नौ गांवों में पुस्तकालय है और 18 लोग उनमें काम कर रहे हैं । उसके लिए केन्द्र सरकार द्वारा पांच लाख रूप का बजट दिया जाता है । दमन में भी कई प्रकार के पुस्तकालय है । ट्राइब्ल सब-प्लान के अंतर्गत जिला पुस्तकालय है और म्युनिसिपल लाइब्रेरी और मोबाइल लाइब्रेरीज हैं । इसमें करीब दो लाख रूपए 1998-99 के बजट में हमने रखे थे । इसका शिक्षा विभाग द्वारा संचालन हो रहा है । दमन,चण्डीगढ़,दादरा नागर हवेली,दीव,लक्ष्यद्वीप और अण्डेमान निकोबार में भी ये सारी व्यवस्थाएं हैं । पाण्डिचेरी में पब्लिक लाइब्रेरी सिस्टम है । जैसा आपने उल्लेख किया है वहां पर रोला लाइब्रेरी है । वह लाइब्रेरी वहां पर केन्द्रव लाइब्रेरी के रूप में काम कर रही हैं । इस समय वहां पर विभिन्न स्तरों पर 68 लाइब्रेरीज हैं । पब्लिक लाइब्रेरी सिस्टम वहां भी एक अपने रूप में हैं । उसका सालाना बजट 27 लाख रूपए हैं । आप देखेंगे कि हम इसके विस्तार और बड़े मनोवोग से काम कर रहे हैं ।

हम यह चाहते हैं कि हमारा संस्कृति विभाग जो हैं वह इस दिशा में आगे काम करे और हमारी तरफ से कोशिश यह हो रही है कि जितनी भी यूनियन टैरोटरीज है,उन सब में अधिक से अधिक सहायता पहुंचे । उनके अपने फंड कम होते हैं,अपने साधन कम होते हैं,इसलिए उनको केन्द्रीय सहायता पहुंचे । साथ हीवे इसके लिए विकेन्द्रित व्यवस्था करें ताकि स्थानीय लोगों की भी भागीदारी हो सके । जैसा मैंने अभी बताया विदेशों में भी बहुत सी जगहों पर पुस्तकालय स्थानीय आधार पर चलते हैं । हमारे देश में भी बहुत से स्थानीय पुस्तकालय चलते हैं । हम चाहते हैं पुस्तकालय बनाने में जनता की भागीदारी,समूह की भागीदारी भी है और जो पुस्तकालय स्थान स्थान पर बने,सरकार उनकी मदद करें,उनको मजबूत करें,उनकी कमियों को दूर करें । मैं इस बात से सहमत हूं कि पुस्तकालयों में रख-रखाव की बहुत कमी हैं । लेकिन यह इस विधेयक का अंग नहीं है । इस विधेयक में उसकी तरफ ध्यान नहीं दिया गया है । पुस्तकालयों का आधुनिकीकरण बहुत आवश्यक हैं । मार्डनाइजेशन,और नेटवर्क की स्थापना आवश्यक हैं । इंटरनेट लगाना आवश्यक हैं । बहुत से पुस्तकालयों से जहां से ऐसे प्रस्ताव आते हैं तो हम उनकी सहातया करते हैं और सरकार समय समय पर राजय सरकारों से वह अनुरोध करती रहती है कि वह अपने यहां पुस्तकालय बढ़ायें ।हम इसमें ट्रैनिंग की भी व्यवस्था करना चाहते हैं । यह जो राजाराम मोहन राय लाइब्रेरी फाउंडेशन है वह इस प्रकार की सहायता देता है और ग्रामीण क्षेत्रों में पुस्तकों की खरीद के लिए पैसा भी देता है । नेहरू युवा केन्द्र के माध्यम से और अन्य माध्यमों से इस तरह से हम चेष्टा कर रहे हैं कि देश मेंएक पुस्तक संस्कृति का निर्माण हों । राजाराम मोहन राय लाइब्रेरी फाउन्डेशन ने कुछ राज्यों के लिए एक माडल बिल बनाया है । हम उस बिल पर विचार कर रहे हैं और जो बहुत से सुझाव आज यहां आए हैं,उस माडल बिल,पर विचार करते समय,हम उनको शामिल करेंगे । मैं ऐसा समझता हूं कि सम्मानीय सदस्य को इससे काफी राहत होगी और वे इस पर आग्रह नहीं करेंगे । मैं उनसे अनुरोध करता हूं कि वह अपने इस बिल को वापस ले लें क्योंकि आगे आने वाले राजा राम मोहन राय फाउन्डेशन की ओर से प्रस्तावित बिल में सरकार उनके बहुत से सुझावों को,और उनके ही नहीं जो और भी सुझाव है,उनको उसमें शामिल करने का पूरा प्रयास करेंगी और राज्य सरकारों

से अनुरोध करेगी कि वह अपने वहां जल्दी से जल्दी ऐसा बिल बनायें और पुस्तकालयों के रख-रखाव,गांवों में पुस्तकालयों के फैलाव और पुस्तक संस्कृति के विकास के लिए काम करें।

SHRI KARTAR SINGH DUGGAL: Sir, in view of the assurance given by the hon Minister, I withdraw my Bill.

The Bill was, by leave, withdrawn.

THE CONSTITUTION (AMENDMENT) BILL, 1996 (TO AMEND ARTICLES 124, 217, ETC.)

SHRI V.N. GADGIL (Maharashtra): Sir, I move:

> "That the Bill further to amend the Constitution of India, be taken into consideration."

I have brought this Bill as a kind of a way out for a controversial issue which has arisen, namely, about the appointment of judges. I will briefly explain the background. Our framers of the Constitution recognised that independence of judiciary is very necessary in the parliamentary system of Government. Therefore, they introduced two articles in the Constitution, that is, articles 124 and 217. These articles provide for appointment of judges of the Supreme Court and the High Courts. The procedure is established by these articles, that proposals initiate from the Supreme Court of the High Courts and certain procedure is followed and ultimately the decision is taken to appoint or not to appoint. Now, the crucial word in these two articles is "in consultation with". The question rose in the Constituent Assembly whether. "consultation" means consent. So, two amendments were moved by hon. Member, Shri B. Pokhan-na *sahib,* that is, amendment Nos. 1818 and 2584 to the effect that the word 'consults' be substituted with the word 'consent', so that without the consent of the Chief Justice nobody could be appointed and the exclusive power be given to the Chief Justice.

Now it is very necessary to recall that the Constituent Assembly rejected both these amendments. Therefore, the intention of the Constituent Assembly was that the Chief Justice should be consulted and it is not obligatory to have his consent for appointment. When Dr. Ambedkar spoke there, he said, 'with regard to the question of concurrence of the Chief Justice, it seems that those who advocate the proposition seem to rely implicitly both on the impartiality of the Chief Justice and the soundness of his judgement. After all, Chief Justice is a man with all his failings all the sentiments and all the prejudices which we, the common people have. And I think to allow the chief Justice practically a veto upon the appointment of judges is really to transfer the authority to the Chief Justice which we are not prepared to vest in the President or the Government of the day, I, therefore, think that that is also a dangerous proposition.' This is what Dr. Ambedkar said. After this, this question arose in two cases in the Supreme Court. One was in 1982, the *S.P Gupta Versus Government of India* and the other in 1977, *the Sakhalchand Seth* case. Both the times, the Supreme Court said that 'consult' does not mean consent or concurrence. Mere consultation: It is not binding. So,- the position was made clear. Unfortunately, in 1993, the delicate balance which was skilfully introduced by the Constitution makers between the Judiciary, the Executive and the Legislature, that is, the Parliament was disturbed by the Supreme Court. They gave a majority decision. Nine judges Bench said that 'consult' means 'consent' and without the approval of the Chief Justice nobody could be appointed. I have practised law for nearly 30 years in the High Court and the Supreme Court. I have great respect for the judges. But I am not going to diefy them. They are also human beings like us. And the judgement from their side is based on distrust of the Parliament and the Executive. And the specious argument is that, if things are left to the Executive or the Parliament,